

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1, 9 and 19-21 are in the application. Claims 19 and 20 have been amended.

Applicants have amended claims 19 and 20 to correct a typing error. In several places the term "alpha linolenic acid" was used instead of "alpha linoleic acid". Alpha linoleic acid as correctly used in one part of claim 19 is an omega-6 fatty acid as claimed in claim 1. Alpha linolenic acid is an omega-3 acid that is outside the scope of the claims. Applicants have amended claims 19 and 20 accordingly.

The Examiner rejected claims 1 and 9 under 35 U.S.C. §103(a) as being unpatentable over *Wagu et al.* in view of *Koulbanis et al.* Applicants respectfully traverse.

Wagu et al. cite a complex of CD with an ester of DHA. DHA is an Omega-3 fatty acid. So DHA and DHA esters are by definition not Vit. F and not Omega-6 fatty acids. See e.g. the

following definition taken from Wikipedia, the free encyclopedia (http://en.wikipedia.org/wiki/Omega-3_fatty_acid), which describes DHA as an Omega-3 fatty acid:

"n-3 fatty acids (popularly referred to as ω -3 fatty acids or omega-3 fatty acids) are a family of unsaturated fatty acids that have in common a carbon-carbon double bond in the n-3 position; that is, the third bond from the methyl end of the fatty acid. Important nutritionally essential n-3 fatty acids are: α -linolenic acid (ALA), eicosapentaenoic acid (EPA), and docosahexaenoic acid (DHA). The human body cannot synthesize n-3 fatty acids de novo, but it can form 20- and 22-carbon unsaturated n-3 fatty acids from the eighteen-carbon n-3 fatty acid, α -linolenic acid."

The n-3 fatty acid α -linolenic acid (ALA) cited here is completely different to the Omega-6 fatty acid α -linoleic acid which is subject of the present invention, although they sound very similar.

In contrast to *Wagu et al.*, the present invention is directed to a CD complex of an acid and not an ester, and the acid is an Omega 6 fatty acid and not an Omega-3 fatty acid.

A complex of a CD and an ester (*Wagu*) cannot predict anything about a complex of a CD and an acid (present invention).

A complex of a CD and an Omega-3 fatty acid cannot predict anything about a complex of a CD and an Omega-6 fatty acid (present invention). A complex of a CD and an Omega-3 fatty acid ester (*Wagu*) cannot predict anything about a complex of a CD and a Omega-6 fatty acid (present invention).

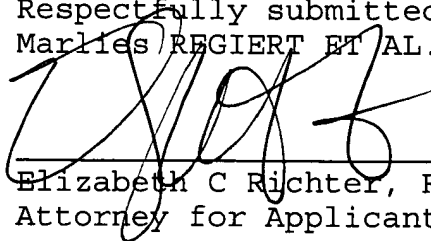
The present application teaches how to solve known problems of Vit. F (Omega-6 fatty acid) by complexing alpha CD with this substance in a molar ratio of 3:1 or 4:1. Because *Wagu et al.* does not address this compound at all, *Wagu et al.* cannot teach anything about the solution of problems with this substance.

Koulbanis et al. does not teach anything about creating a complex with an Omega-6 fatty acid, and thus there is no teaching in either of the references to overcome the known problems with vitamin F by complexing the vitamin F with alpha cyclodextrin.

Accordingly, Applicants submit that the claims are patentable over the cited references, taken either singly or in

combination. Early allowance of the amended claims is respectfully requested.

Respectfully submitted,
Marlies REGIERT ET AL.



COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

Elizabeth C Richter, Reg. No. 35,103
Attorney for Applicants

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Amendment, Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 10, 2008.


Amy Klein